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This is to certify that on the 30th day of January 2015, a true and correct copy of the above and foregoing was served through the Court's ECF filing system on all parties registered to receive ECF notices.

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Board Certified in Business Bankruptcy Law
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JANUARY 29, 2015

Honorable Sam A. Lindsay
United States District Judge
1100 Commerce Street, Room 1544
Dallas, Texas 75242-1003

RE: *Novo Point, LLC, Et Al, v. Elisa Katz, Et Al*, Civil Action No. 3:14-cv-1552-P; In the
United States United States District Court for the Northern District of Texas - Dallas
Division

Dear Judge Lindsay:

By way of introduction, Jeffrey Baron has been through a four-year receivership proceeding that ultimately ended up before this Honorable Court upon the retirement of Judge Royal Ferguson at the end of May 2013. Civil Action 3:09-CV-0988-F ("Receivership Case"). After paying more than \$4,000,000 in fees and expenses to the Receiver and his attorneys, the Fifth Circuit reversed the Receivership and vacated nearly every order entered by Judge Ferguson. *Netspherre v Baron*, 703. F.3d 296 (5th Cir 2012), cert denied, 135 S.Ct. 437.

This Honorable Court also considered an appeal from a Bankruptcy Court Order for Relief, and reversed the decision of the Bankruptcy Court. *Baron v. Schurig*, 2014 WL 25519 (N.D. Tex. 2014) (the "Order for Relief Appeal"). This Court's decision was appealed to the Fifth Circuit, and the court recently affirmed in part, reversed in part, and remanded. However, after the parties filed Motions for Rehearing, the parties settled (Baron and the Petitioning Creditors), and the appeal was dismissed with a mandate that did not call for a remand. The case is over, and this Honorable Court's decision is now final.

After this Court decided the Order for Relief Appeal on January 2, 2014, this Honorable Court entered a series of orders in February and March 2014, returning the receivership assets to the receivership parties. This Court ordered the placement of the assets of Novo Point, LLC and Quantec, LLC in the custody of Lisa Katz, which was vigorously contested by Mr. Baron, but this Court determined that it did not have jurisdiction to entertain a contested matter concerning the proper ownership of such assets. Since then, Ms. Katz has refused to account to the Trustee for the Village Trust, also a Receivership Party, who every one acknowledges is the owner of

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Novo Point, LLC and Quantec, LLC.

Accordingly, Novo Point, LLC and Quantec, LLC filed a state court case in Collin County, Texas, in an effort to accomplish what this Court determined it did not have jurisdiction over, that is, the determination of the right to ownership and control over Novo Point, LLC and Quantec, LLC and these entities' assets. The referenced case was removed by Christopher A. Payne to the United States District Court for the Eastern District of Texas, and was subsequently transferred back to this Honorable Court. We wish to emphasize that the plaintiffs in the referenced case never intended to burden this Court with this case.

The case has now been pending since early May 2014, and no hearing has been set on the temporary injunctive relief requested by Plaintiffs. We are very cognizant of the heavy case load the district courts must deal with. On the other hand, Mr. Baron's remaining assets and wealth are being dissipated by the Defendants. In fact, we believe that Mr. Payne and Ms. Katz have unlawfully transferred away millions of dollars of Quantec and NovoPoint's assets. Accordingly, we would request that this Court either set the preliminary injunction for hearing, or remand the case back to state court, which we believe this Honorable Court could accomplish *sua sponte*, as it is very clear that this Court does not have jurisdiction over this controversy, any more than it did when it was raised in the *Netsphere* case.

We remind the Court that at some point, justice delayed is justice denied. *Cuevas v. Collins*, 922 F.2d 242 (5th Cir 1991). We thank Your Honor for the Court's kind consideration of the above.

Respectfully yours,

PENDERGRAFT & SIMON, LLP



Leonard H. Simon

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